ADMIRAL SCHLEY'S DEFENCE. | witness what he meant by these "carcum

CAPT. COOK QUESTIONED ABOUT THE RUN TO SANTIAGO.

Admits That the Squadron Did Net Proceed With "All Despatch," but Qualifies This Admission by Saying That Bad Weather and Coaling Conditions Impeded Its Progress-Five officers Who Served on the Brooklyn Testify as to the Blockades at Clenfueges and Santiago, the Battle With Carvera's Squadron, and the "Loop."

WASHINGTON, Oct. 16.-Five naval officers who served under Admiral Schley on the flagship Brooklyn in the Spanish war were called before the Schley Court of Inquiry at the Washington Navy Yard to-day to give testimony in his defence. They all showed that they were friendly to the accused officer. No new points were touched upon in their examinations. Their testimony in regard to the Cienfuegos blockade was not materially different from that given by the witnesses called by the Judge Advo-cate, and what they said about the Santiago blockade agreed pretty generally with that of the more conservative officers who gave evidence for the Judge Advocate. There was some more testimony about the Brook-lyn's loop and the slow progress of the squadron toward Santiago, but very little about the retrograde movement.

Two of the officers who testified were Capt. Cook, the Brooklyn's Commander, and Lieutenant-Commander Sears, flag Licutenant to Schley, who has been on the stand before. The others were Lieutenant-Commander Mason, the Brooklyn's executive officer; Lieut. Webster, watch and division officer of that vessel, and Junior Lieutenant McCauley, who had been Schley's aide and signal officer. These three last-named said the Brooklyn was very near the enemy when the loop began, Mr. Mason giving the distance at 1,400 yards, although might have been only 1,100 yards; Mr Webster between 1,400 and 1,600 yards, and Mr. McCauley 900 or 1,100 yards. Capt. Cook said in his previous testimony that it was between 1,500 and 2,000 yards, and Mr. Sears had made it less than 900 yards.

Mr. Sears was asked by the Court to explain more fully his statement made yesterday about the loop. He said that the Brooklyn began to turn from the moment she started in toward the Spaniards. think the turn began," he said, "before Capt. Cook reached the bridge." The "loop" proper, however, which took the ship to the east and south and then to the west, was begun when the second Spanish ship had turned to the westward. This disagrees with Capt. Cook's statement that the order to put the helm over "hard a-port" was given because the Spanish ships appeared to be heading out toward the American vessels, seemingly with the intention of cutting the Brooklyn off from the rest of the fleet. Mr. McCauley said the Viscava, the second of Cervera's ships appeared to be coming toward the Brooklyn when that vessel began the loop. Mr. Mason said he asked Capt. Cook if the Brooklyn was going around with a port or starboard helm and was told that she would turn with a port helm, as she did go, but he did not know whether he asked this question before or after the Brooklyn had started to make the circle.

Of the Cienfuegos blockade Mr. Mason and Mr Webster said that the Flying Squadron drew further out from shore at Squadron drew further out from shore at night, the former placing the night distance at seven miles and the latter at seven or eight miles with picket boats inside. Admiral Schley in an official report said that a line of blockade was established at Cientus of Sabout four miles off shore, and at night an inshore line was maintained. Of the Santiago blockade Mr. Mason said that the distance from shore in the day was from four to six miles, and that the squadron at night was nearer, steaming in column hack and forth past the harbor entrance and about three miles to each side of it. night, the former placing the night distance and about three miles to each side of it.

Mr. Webster placed the day distance at about four miles, and said the ships were a little nearer at night, when the column steamed back and forth two and a half on back and forth past the harbor entrance and about three miles to each side of it. steamed back and forth two and a half on three and a half miles to each side of the

Capt. Cook's testimony to-day related to the slow progress toward Santiago. He said that, taking the retrograde movement into consideration, the Flying Squadron had not carried out Sampson's order to proceed there "with all despatch," and that the squadron could have reached Santiago in one day if the gunboat Eagle had not been delayed by bad weather, which would not, however, have delayed any of the other ships. The Texas, he said, had enough coal to get to Santiago. Mr. McCauley read signais from his personal notes to show that the squadron had to slow down for the Eagle, and that the Merrimac delayed it an hour through an accident to her machinery. Mr. Mason said that if the small vessels had been left behind the squadron would have gone faster toward Santiago.

Mr. Sears, who denied vesterday having said of Commodore Schley in the wardroom of the Massachusetts on the day the Colon was fired on: "For God's sake, don't discourage him; it was all we could do to get him up to this," was asked about this statement again this morning The Judge Advocate asked him if he had said anything like that before to four officers Capt. Lemly named. He reiterated his denial, asserting that he was irritated over the decision of Capt. Higginson not to let the Massachusetts into fire at the Colon until the sailors had eaten dinner, and may have said something about that, but the officers named must have misunderstood him it they thought he made any remark about Commodore Schley like that quoted.

The Judge Advocate got in evidence to-day a signal from the Brooklyn to the Texas on May 28, when the squadron turned it was Commodore Schley's intention to go to Hayti and not to the port where Cervera had taken refuge. This signal told Capt. Philip of the Texas that the more coal he

WITH ALL DESPATCH.

was intended that Capt. Cook should take the stand only to certify to the official report of his testimony, but he was asked a number of interesting questions by each of the lawyers. To Mr. Hanna, the Judge of the lawyers. To Mr. Hanna, the Judge Advocate's assistant, Capt. Cook said that his recollection was that a bulletin had been issued by Admiral Sampson in regard to the amount of speed that should be kept up off Santingo, and he was also under the impression that there was assounding in the bulletin about keeping the forward engines uncoupled. "We could not move over four engines with the amount of speed we carried, he added, but it may have been from this, he explained that he got been from this, he explained that he got the impression that the forward engines

should be uncoupled.

Mr Hanna asked for a specific answer to this question. Did the Flying Squadron in proceeding from Clenfuegos to Santiago proceed with all despatch. The order

yed by Sampson to Schley.]
Not taking into consideration the surbaye alread there testified to, I should

surrounding circumstances and con-

stances and conditions.

"I mean," said the Brooklyn's Commander
"that we could have gone from Clenfueges
to Santiago and arrived there the next day
with some, if not all, the larger ships. [The
run took two days to get to within twentyfive miles south of Santiago and then the
squadron started back for Key West.]
The circumstances and conditions were
the coaling conditions."

Waving his hand toward a big chart
on the wall near him, which contained
rigzag lines showing the course of the
Flying Squadron toward Santiago and on
the retrograde movement, Capt. Cook
said:

Flying Squadron toward Santiago and on the retrograde movement, Capt. Cook said:

"And it is plainly marked there. We certainly could not have made despatch by turning back."

"What do you mean by turning back?"
Mr. Rayner asked.

"I mean going to the westward (toward Key West) and not coaling. I mean this: We did not go in the quickest possible time between Cienfuegos and Santiago."

Mr. Rayner said that he wanted an answer that left out the retrograde movement. With this understanding Mr. Rayner asked: "What were the circumstances and conditions that retarded the equadron?"

"Bad weather," said Capt. Cook.
Q. What were the conditions of the Eagle and Vixen, for instance? A. The Eagle delayed the speed of the squadron.
Q. Did the Vixen delay the squadron on the passage to Santiago? A. I think not. The Vixen was a much better sea boat than the Eagle.

By Mr. Hanna—One of the circumstances was the coal supply of the Texas? A. I have said so, yes.

Q. Did the Texas have enough coal to

was the coal supply of the Texas? A. I have said so, yes.

Q. Did the Texas have enough coal to get to Santiago? A. Yes.

Mr. Rayner brought out from the witness that he remembered something about the Vixen blowing out a manhole gasket that delayed her a little, but to a question from Capt. Lemly he said he was not sure that this was going from Clenfuegos to Santiago.

LIEUTENANT-COMMANDES SEARS CROSS-EXAMINED.

Lieutenant-Commander J. H. Sears, flag Lieutenant to Admiral Schley in the Spanish war, was recalled and cross-examined by the Judge Advocate with reference to his denial yesterday of a statement that he had said that "it was all that we could do" to get Commodore Schley up to firing on the

The Judge Advocate I invite your atten-The Judge Advocate—I invite your attention to the question and answer on page 286 of the record in reference to a conversation in the wardroom of the Massachusetts on the 3ist of May, and I ask you if you can refresh your memory about it when you are informed that Lieut. Potts, Lieut. Grant, Lieut. Fleming and Major Wood are supposed to have been present and to have participated in the conversation? [The witness is supposed to have said "For God's sake don't discourage him; it is all we have been able to do to work him up to this."]

Mr. Sears—I do not recollect it at all. Any such statement would have been impossible for me to make. I might have said something else that was misunderstood. I something else that was misunderstood. was irritated at the delay. I have no recollection of any such statement. Some-thing Ifmay have said must have been construed in that way, but it is entirely im-possible that I could have said that. I may have made some remark which was so con-strued, but that remark I never made.

Q What do you mean when you say you were irritated by the delay? What delay? A The delay in not going immediately to Mr. Rayner objected to the course of the

inquiry. The witness, he said, had been examined about the conversation and had said that he did not recollect it and that he must have been misconstrued. The cause of his irritation had nothing to do

The Judge Advocate replied that he was

The Judge Advocate replied that he was not asking about the cause of the witness' irritation, but about the delay.

Mr. Rayner did not persist in his objection, and Mr. Sears said that he was irritated at Capt. Higginson's request to delay the reconnoissance until after the men had dinner. He remembered that very

Q. When you said to Commodore Schley, "I think we are about our factical diameter "I think we are about our tactical diameter from that ship" [the Viscava], now did you mean that the distance between the Brooklyn and the Viscava was less than the distance reported by Ellis? [900 vards]. A. I meant that we were about that distance. My judgment was that Ellis was right and that the distance was about 900 vards. I do not know that the tactical diameter of the Brooklyn had been determined at that time. I judged it to be about 750 that time. I judged it to be about 750

yards.

Q. What were the relative positions of the Brooklyn and the Colon when the Colon passed the Viscaya? A. The Viscaya was forward of our starboard bow when the Colon passed in shore. As I remember the distance of the Brooklyn from the Viscaya at that time was about 2,200 yards. As to the Colon I camput say what the distance. the Colon, I cannot say what the distance

Was.

Q. You stated that the Colon passed the Viscaya, that the Viscaya was about the tactical diameter of the Brooklyn from the Brooklyn when the Brooklyn turned to starboard, and that when the Brooklyn completed her turn and was heading to the westward her course was parallel to that of the Spanish ships and she was about 12,000 yards from the Colon. How much time was occupied by the Brooklyn in makime was occupied by the Brooklyn in mak-

Ing the turn?

Lieut. Sears said that it was at a later time when the Colon passed. Admiral Benham, who had written the question, explained its meaning to the witness.

Lieut. Sears—The distance of 12,000 yards was after the Viscaya had surrend-dered. We had only two engines and the Colon was going faster than we were, but ing the turn?

Colon was going faster than we were, but we were increasing our speed.

Q. How much time was occupied by the Brooklyn in making the turn? A. I have been unable to satisfy myself about that. It may have been ten or fifteen minutes, but it seemed a very short time to me.

Q Did you notice the position of the Texas prior to the commencement of the engagement? If so, give her bearings from the Brooklyn. A The first thing I did on reaching the quarterdeck was to size up the situation. I looked at our squadron and saw that the ships were all very nearly in their proper positions, with the exception of the Texas; she was outside of her position and was headed toward the east or to the north by east. The Texas was the only vessel that appeared to me THE POSITION OF THE TEXAS. was the only vessel that appeared to me to be out of her position. Admiral Dewey asked the witness to

Admiral Dewey asked the witness to look at the chart prepared by Lieut Bristol of the Texas and say whether the positions plotted on it of the American and Spanish ships at the beginning of the battle of July 3, particularly those of the Brooklyn, Iowa, Oregon and Texas, agreed with his precedication.

Mr Sears said that the chart put the Brooklyn 7,000 yards from the Morro, which was more than the careful estimates made c. her showed. He said the relative posic. her showed. He said the relative posi-tions of the Brooklyn and the Iowa were not correct. He had seen the Iowa. The chart put her well inside the Texas and the Brooklyn, and that was contrary to his observation.

To Mr. Hanna he said he thought the Brooklyn was considerably pearer the

To Mr. Hanna he said he thought the Brooklyn was considerably nearer the Spanish ships than the Texas when the Brooklyn made the Texas when the Brooklyn made the Texas and the Iowa, and he thought it possible that she approached nearer the enemy than the Brooklyn while the Brooklyn was making her turn. The Brooklyn was making her turn. The Brooklyn was always and he thought it possible that she approached nearer the enemy than the Brooklyn was making her turn. The Brooklyn he said, was always nearer the Colon in the chase of that vessel

and always nearer the Viscaya than any other American ship.

"Was the Oregon nearer in shore than the Brooklyn?"

"I am not able to say, but we were always nearer the Colon."

COMMANDER MASON CALLED.

COMMANDER MASON CALLED.

Commander Newton E. Mason, the Brooklyn's executive officer in the Spanish war, was the next witness for Admiral Schley. He is now stationed at the naval torpedo station at Newport, R. I. Examined by Mr. Rayner he first told of the Clenfuegos and Santiago blockades by Schley's squadron. At Clenfuegos the squadron was off shore from three to seven miles. It steamed in from the greater distance every morning. There were picket boats inside the blockade line at night. At Santiago the ships formed column at night and steamed back and forth in front of the harbor entrance, the course being six or six and one-half miles, or about three miles to each side of the harbor entrance.

To a question as to the manner and bearing of Commodore Schley in all the engagements Commander Mason said:

"His bearing and manner were excellent in every particular. He was calm, collected and brave."

Commander Mason told the story of the battle of July 3 in a deliberate way, apparently weighing every word. He prefaced his account of the engagement proper with the statement that he did not notice the conduct of any of the American vessels except the Brooklyn, as he was too busy.

THE BROOKLYN'S POSITION IN THE BATTLE.

"As soon as I reported the batteries ready to Capt. Cook," he said, "I asked him if we should commence firing. He replied; 'Fire as soon as you are ready,' and I immediately gave the order to Lieut. Simpson in the forward turret to fire as soon as he could, giving the range as 3,500 yards. The first gun was fired within five minutes after the first alarm. The rest of the battery took up the fire at once and continued it, firing on the port bow until the ranges began to get down to 1,800 and 1,800 cards. I asked Capt. Cook which way she was going to turn, it being necessary for me to know, so as to change the battery fire. He answered that he was going around with a port helm. I gave the necessary orders, giving the order to officers of divisions, and as we were firing for the last time on the port side, the starfor the last time on the port side, the star-board guns took up the fire immediately. The starboard battery then was engaged for the rest of the action. The the time we turned, as far as I rewas about 1,400 vards, although I have a recollection of 1,100 yards being sent to me once. After swinging around, the range went up from 2,400 to 2,800 and 3,000 yards. As for the position of the vessels of our own squadron, I saw none of them after the first signal alarm. As to the positions of the enemy, they were on the port bow outside the harbor when we made the turn with the port helm. At the end of the turn they were on our starboard beam and quarter, with one of them a little ahead. The Maria Teresa very shortly after this, or about the end of the turn, dropped astern and steered in for the shore, t following along some short time later leading the Viscaya and the Colon. After the Oquendo went ashore, we had a running fight with the Viscaya for some time, the of the Viscaya for some time, the Colon gong ahead of her and on the inside. The Viscaya finally, when well forward of the beam of the Brooklyn, put her helm hard a-starboard. It looked as if she were going for us. Immediately, however, she ted it to port and turned to the shore After that we had a chase after the Colon, making better speed than we had."
"Did I understand you to say that the

Brooklyn was already turning when you asked Capt. Cook if she was going to port or starboard? asked the Judge Advocate. *She had shifted helm two or three time: but whether she had commenced her final turn or not I don't know," Commander

Mason answered.

To Mr. Hanna the witness said he had never had any conversation with Commodore Schley about the retrograde move-

QUESTIONS BY THE COURT.

The Court asked Commander Mason everal questions. With their answers

Doyle of the Brooklyn, has testified to hearing the firing. Capt. Cook, Lieutenant-Commander Hodgson and Flag Lieutenant Sears, all of whom were on the Brooklyn, said they did not hear any.]

Q. Was any boat sent ashore to find a landing place at Clenfuegos? A. Not to my knowledge.

Q. Was any effort made, so far as you know to ascertain whether the Spanish

Was any effort made, so lat as you know, to ascertain whether the Spanish squadron was at Clenfuegos? A. Nothing more than sending men aloft to look into the harbor and sending the Marblehead

the harbor and sending the Marblehead and the Eagle to the westward.

[When Capt. McCalla arrived with the Marblehead and the Eagle at Cienfuegos on May 24, he obtained permission from Commodore Schley to find out if the Spanish fleet was there. He ascertained in a few hours that it was not and the Flying Spanders left (Cienfuegos that evening).

few hours that it was not and the Flying Squadron left Clenfuegos that evening | Q. What American ships were between the Brooklyn and the Spanish ships while the Brooklyn was turning to starboard? A. [The witness showing surprise at the question.] None that I know of.

Q. Did you know the distance of the Brooklyn from the Morro when the Spanish ships came out? A. I don't know, except that she was not very far from her regular blockading position of 6,000 yards.

that she was not very far from her regular blockading position of 6,000 yards. Q. Why did you give the first range as 3,500 yards in the battle of July 3? A. That was given to me by the observer. Q. Was the squadron delayed in the passage to Saniago; if so, from what cause? A. On the 25th the squadron slowed down on account of the Eagle. If the smaller vessels had been left behind the squadron could have gone a little faster.

Q. Did you note the fall of shots fired by the ships of the squadron in the attack on

could have gone a little faster.

Q. Did you note the fail of shots fired by the ships of the squadron in the attack on the Colon on May 31? A. Only in a general way from the upper top of the Brooklyn. A great many fell short.

Q. Did any of these shots appear to strike the Colon? A None that I saw.

By Mr. Rayner-Did you see any shots of the Spanish batteries of the Colon fall between the Brooklyn and the attacking American ships (Massachusetts, Iowa and New Orleans)? A. I'm not sure.

Capt. Lemly secured from the witness an explanation of his statement that at Cienfuegos Schley's ships steamed in nearer shore every morning. The witness said that the ships were farther from shore at night than in the day on account of drifting. "I know," he added, "that the practice was always to steam in closer in the morning.

The Court asked if that same practice was followed at Santiago.

was followed at Santiago.
"Oh, no." said Commander Mason; "the contrary was the case. We were between four and six miles from shore and the squad four and six miles from shore and the squad-ron moved in nearer at night. In the day time the ships were allowed to drift out, but during this steaming back and forth at night they were generally farther in than in the day and had picket boats inside." SIGNALS GIVEN BY THE BROOKLYN.

After recess the first witness called by Admiral Schley's counsel was Lieut. Ed-ward McCauley. He said that he had served on board the Breeklyn as an ensign and as on board the Bre-klyn as an ensign and as aide and signal officer to Commolic to Sobley. At the requisit of Mr. Reyner he read from typewritten notes the signals given by and to the Brocklyn on May; and July 3. Lieut. McCauley was asked if he had in his notes any such signal at 2:05 P. M. as this from the Brocklyn to the squadron: "Do not go any closer." *Do not go any closer.* Lieut. McCauley - No, sir.

nearer the Colon in the chase of that vessel perfect the Colon in the chase of that vessel problems. The Brooklyn on July 3. These showed that the only signals from the Brooklyn before she began to chase the Colon with the Oregon were "Enemy escaping, prepare for action," and "Close in," and as the Oregon came up on her quarter, "God bless the Oregon." In the chase of the Colon

these entries were made by Lieut. McCauley in his notebook:

1:15. From the Brooklyn to the Oregon:
That the Colon had fired a lee gun and

Texas and the Iowa a little abaft the Brookin his notebook:

1:15. From the Brooklyn to the Oregon:
That the Colon had fired a lee gun and
hauled down her flag.

1:25. Brooklyn to Oregon: "The enemy
has surrendered."

1:26. Brooklyn to Oregon: "Cease fir-

killed and wounded. Brooklyn to New York: "A great day for our country."
He recalled also that the Brooklyn sent a signal to the Oregon to try a 13-inch shell on the Colon.

SCHLEY'S CONDUCT IN BATTLE Mr Rayner-What was the conduct and bearing of Commodore Schley on the day of the battle? A Perfectly cool and

day of the battle? A. Perfectly cool and steady.

Q. Where was he? A. He was on the platform outside of the conning tower.

Q. Did he make any encouraging remarks on that day to the officers of the ship, which you heard? A. Yes

Q. Give us what he said. A. He said: "Give them hell, bullies." [Laughter.]

Q. Did he say that more than once? A. Yes, several times. [Great laughter.]

Q. Can you give us any incident to show that he was not laboring under any great mental excitement that day? A. When Ellis was killed another officer and I picked up his body to throw it overboard. Com-THE BROOKLYN'S POSITION IN THE BATTLE.

up his body to throw it overboard. Com-modore Schley saw us and said: Don't throw him overboard, cover him up with Q Were you present when Ellis was killed? A. Yes. killed? A. Yes.

Q. How near to the Commodore and you was Ellis? A. Ellis stood right next to me and about fifteen feet from the Commodore Q. How was Ellis killed? A. A shell

Q. Was Ellis's blood scattered over the Commodore? A. Not that I remember.
At the request of Mr. Rayner Lieut.
McCauley, with his notes before him, told the story of the battle of July 3.

"When the Commodore come on deck." "When the Commodore came on deck," he said. "I told him I had hoisted the signal, Clear ship for action," and he said, to hoist 'Close up.' We were then heading in for the Close up. We were then heading in for the Spanish ships. As I remember it, the Spanish ships were headed to the southward and westward, standing out. The Viscaya appeared to be heading directly toward us. We then started to turn with a port helm. Just then I heard Ellis, the chief yeoman, who was measuring distances by the stadia-meter, say 900 yards. The range was passed as 1,100 yards. We made a complete turn with a port helm. I don't know whether the helm was kept hard a-port or not. I don't know when the order was given."

on't know when the order was given."
Mr. Rayner - Did you see the Texas?
Lieut. McCauley—No, sir.

LIEUT M'CAULEY CROSS-EXAMINED In the long cross-examination to which Lieut. McCauley was subjected by Mr. Hanna, it was brought out that a message for Sampson had been signalled to the St. Paul by the Brooklyn off Santiago, as the Flying Squadron turned back for Key West. Lieut. McCauley read this from the Brooklyn's signal reserved book in this way. lyn's signal record book in this way:
"If Sampson comes here tell him half
squadron out of coal and collier engine

After examining the message closer he said that the word was not "out," but "short," it being very indistinctly written. Mr. Hanna then read the signal from the St. Paul's signal book. It reads: "If Samp-son comes here, tell him that half the squad-

Capt. Lemly, Lieut. McCauley said he did not remember the signal. Do not go in any closer," from Schley's temporary flagship, the Massachusetts, to the Iowa at 2.05 P. M., during the firing on the Iowa at agenip, the Massachusetts, to the Iowa at 05 P. M., during the firing on the Cristobal olon. The notes of the witness did not how anything about any ship delaying the lying Squadron's progress toward Santi-go, and he said he did not remember any-ning about it. It was shown by the notes of the witness that the accident to the Vixen's manhole gasket happened on May 28, after the squadron had turned back toward Santiago, so that this accident did not delay the squadron in proceeding from Cienfuegos to Santiago. In reporting this the Vixen signalled "Think we can keep

Some of the questions developed that on the morning of May 28, when the squad-ron was going back to Santiago after hav-ing coaled the Texas and the Marbiehead, slower, as her men were tired out from coaling all night. The Court asked a ques-tion about this as follows: "Did the Texas signal when she was ready to resume standard speed after having requested the flagship to slow down on May

Lieut. McCauley (after examining his notes)—I find nothing from the Texas to the flagship after that, except at 11.43 A.M., "We can steam between 6 and 7 knots."

This was asked also by the Court: "Did you hear firing as the squadron approached Cienfuegos on May 21 or 22?"

"None that I remember "It was shown by the signal book of the Texas that in answer to a complaint of that vessel, as she was lying to on May 28, after coaling all night, that her men were played out, the Brooklyn signalled. "The more coal you take in now the less you will have to take at Hayti," indicating that after coaling his ships, Commodore Schley intended to go to Hayti instead of Santiago. None that I remember. LIEUT. WEBSTER ON SCHLEY'S BLOCKADES.

Lieut, Charles Webster, another officer Lieut. Charles Webster, another officer who served on the Brooklyn, told of the Cienfuegos and Santiago blockades and the battle of July 3. He is now stationed in the Bureau of Navigation. At Clenfuegos, he said, the Flying Squadron headed in toward the harbor entrance during the day and steamed out at night to seven or eight miles and spent the night steaming in column in front of the port Picket boats were stationed inside the ricket bouts were stationed inside the squadron line at right. At Santiago, the vessels steamed at night two and one-half to three and one-half miles to each side of the harbor entrance with picket boats inside. The ships were about four miles inside. The ships were about 1001 of the entrance in the day and a little farther

Cross-examination brought out that Lieut. Webster's statements about the Cienfuegos blockade agreed with the Brook-

Cientuegos blockade agreed with the Brook-lyn's log. One entry showed that on the morning of May 23 the ships steamed in for an hour from their night position before reaching their day position. Lieut. Webster told of the attack on the Colon on May 31 by the Massachusetts Schley's temporary flagship, the Iowa and the New Orleans. He saw this with a glass from the fighting top of the Brooklyn. One shot, he said, fell under the Colon's counter. All others fell short. He was asked by Mr. Rayner how many

He was asked by Mr. Rayner how many engagements he had been in with Commoore Schley, and his reply was, "Three bombardments and the action of July 3."

Q. What was the conduct and bearing of Commodore Schley on these different occasions? A. I never saw Commodore Schley during the engagements. I saw him immediately after the battle of July 3.

He was then prefetly cool and collected. He was then perfectly cool and collected. IN THE SANTIAGO BATTLE.

Lieut. Webster gave briefly an account of the battle of July 3. He had charge of



Sole Makers, Rheims, N. Y.

That the Colon had fired a lee gun and hauled down her flag.

1:25. Brooklyn to Oregon: "The enemy has surrendered."

1:26. Brooklyn to Oregon: "Cease firing."

1:28. Brooklyn to Oregon: "Keep guns loaded and trained on the enemy."

1:30. Brooklyn to Oregon: "Congratulations on grand victory."

1:35. Oregon to Brooklyn: "Thank you more than we can express."

1:35. Brooklyn to New York: "We have gained a great victory. Details will be communicated."

1:35. Several inquiries and replies as to killed and wounded.

2:15. Brooklyn to New York: "A great day for our country."

A great day for our country."

1:36 Brooklyn to New York: "A great day for our country."

1:37 Brooklyn to New York: "A great day for our country."

1:38 Brooklyn to New York: "A great day for our country."

1:39 Brooklyn to Oregon: "Cease firms moved once or twice to starboard, and it seemed to the witness that it was eased a bit to port and then put hard a-port. His estimate was that the enemy's vessels were 1.400 to 1.600 yards distant when this was completed she was 2,500 yards, increased to 2,800 when the Viscaya frither in. The Brooklyn as her turned as for our country."

1:39 Brooklyn to Oregon: "Cease firms are proved once or twice to starboard, and it seemed to the witness that it was eased abit to port and then put hard a-port. His estimate was that the enemy's vessels were 1.400 to 1.600 yards distant when this was completed she was 2,500 yards, increased to 2,800 when the Viscaya farther in. The Brooklyn to Viscaya, with an occasional shot at the Oxygen one of the witness that it was eased abit to port and then put hard a-port. His estimate was that the enemy's vessels were 1.400 to 1.600 yards distant when this was completed she was 2,500 yards, increased to 2,800 when the Viscaya farther in. The Brooklyn to Viscaya, with an occasional shot at the Oxygen one of the Viscaya farther in. The Brooklyn to Viscaya, with an occasional shot at the oxygen of the Viscaya farther in. The Brooklyn to Viscaya with an occasional shot at the oxyge

By the Court—Q. When the Flying Squad-ron was blockading Clenfuegos did the vessels lie at night perpendicular to the shore or parallel to the shore? A. My recollection is that they lay parallel to the

recollection is that they lay parallel to the shore line.

Q. How did the Spanish vessels bear from the Brooklyn, when the Brooklyn's helm was put hard a-port on July 3? A. It seems to me that the Teresa was very near her port bow, and the Viscaya perhaps three-quarters off her port bow. It was hard to tell at the beginning how they bore.

Q. What was the relative positions of the Brooklyn and the Colon when the Colon passed the Viscaya? How was the Brooklyn heading at that time? A. The Colon passed inside of the Viscaya, a distance of about 2,000 yards, I should think. As she was passing the Viscaya her range from the Brooklyn would probably have been about 4,500 yards. The Brooklyn was heading probably near west. heading probably near west.

The court then adjourned until to-mor-

FLORIDA SMUGGLERS TAKEN. Revenue Cutter Goes After a Family a

Boca Grande and Gets Them. PUNTA GORDA, Fla., Oct. 16 .- The United States revenue cutter McLain yesterday entered Charlotte harbor at Boca Grande Pass, meeting a staff of special agents and the Sheriff of Hidlsborough county. For thirty years a family named Terrevia has maintained a place known as the Spanish Ranche in a snug little cove of a harbor about two miles south of the Gasparilla lighthouse. It has been known to this whole country for a score of years that the

family was doing a smuggling business with the island of Cuba. Deep-sea fishing smacks from Cuba come in at Boca Grande under the pretext of bad weather and for bait and exchange of bad weather and for balt and exchange rum, cigars and cigarettes for salt fish &c, which this family has to trade. These goods are then peddled out along the coast. About one hundred and fifty gallons of rum was found in every sort, size and shape of bot-tles, buckets and tin cans, and seized. Sev-eral husbals of cigarettes and cigars were eral bushels of cigarettes and cigars were also taken. The man, his wife and daughter and a laborer were arrested and taken on the cutter to Tampa. They attempted to resist, but were overpowered. The family is reputed to have many thousands of dollars deposited in Havana.

IMPALED ON ROSE BUSH STAKE. Little Daughter of George M. Lamon Falls From Bedroom Window to Garden.

SOMERVILLE, N. J., Oct. 15 - The servants Bound Brook were awakened this morning by the moaning of a child in the yard. On going to the yard the servants discovered Isabelle, the nine-year-old daughter of Mr. Lamont, impaled on a rose bush stake in a flower bed under a second story window. She was extricated and Dr. Fisher was summoned. He found that the stake

had passed through the child's body and penetrated her left lung.

The presence of the child in the flower bed under the window remained a mystery until she recovered consciousness and said that she was about to close her bed-

WOMAN BURGLAR CONFESSES. Says She Stole Because She Was Desti-

zenbund badge belonging to Schwab. When arrested the woman said she stole because she was in destitute circumstances.

STOLE THE ERRAND BOY'S SHOES. Gang of Young Toughs Played at Highway

Robbery Only One Caught. william Ihmer of 316 West Twentyeighth street, an errand boy in the employ
of Alexander, the Sixth avenue shoe dealer,
was attacked by a gang of young toughs
when he was passing Thirtieth street and
when he was passing Thirtieth street and Young Ihmer had with him eleven pairs of shoes, valued at \$08. The crowd disappeared and with them went the shoes. Several citizens gave chase and all the thieves but two dropped the shoes they were carrying. One boy got away with two pairs valued at \$15. Policeman kyan caught Patrick Costello, 15 years old, of \$15 West Twenty sixth street, with two pairs more. Magistrate Cornell held the boy for examination.

hidden in a pile of linen in a clothes hamper. The boy, she said, got a key to her room from his father. Edward Gorman, a prize-fighter with whom she has trouble, and was seen in her room just before the more prices.

FURTHER ANNOUNCEMENT OF THOSE EXPECTED NEXT WEEK.

Ambassador Choate to Attend and Prob ably to Get a Degree-Greeting From Japanese Graduates-Literary Work of the Facuity to Be Presented.

NEW HAVEN, Conn., Oct. 16.-It was given out by the Yale authorities to-night that among the distinguished guests to the bicentennial of the university would be Ambassador Joseph H. Choate, who sailed from England a few days ago. It is said he is to receive a degree from Yale Among the other guests of Yale who have recently informed the Bicentennial Committee that they will come to New Haven next week

Profs. Hilprecht and Lamberton and Dean

W. D. Lewis, University of Pennsylvania; Prof. Henry B. Gardner and Prof. J. Irving Manatt, Brown University; the Hon. Charles Francis Adams and the Rev. Morton Dexter, Massachusetts Historical Society; Canor W H. Fletcher, vicar and rural dean of Wrexham, England, residuary canon of St. Asaph Cathedral and proctor for the chapter in the Convocation of Canter-bury; Dr. Thomas Harrison, Chancellor of the University of New Brunswick, acting delegate for Dublin University; Cleveland Abbe, meteorlogist of Washington, D. C. Bishop Tierney, Hartford, Conn., diocese President Richard H. Jesse, University of Missouri; Prof. Charles R. Lanman, Harvard; Miss Mary E. Wooley, President of Mount Holyoke College; the Rev. Joseph F. Hanselman, S. J., President of the College sets it apart from the commonof the Holy Cross; President Austin Scott, Rutgers College; President Boothe C. Davis, Alfred University; the Hon. Andrew D. White, United States Ambassador to Germany and former President of Cornell, and Profs. William B. Dwight and Laura J.

Wylie of Vassar College. It is given out in connection with the visit of the Vicar of Wrexham, the Rev. W. H. Fletcher, that he has prepared with a Yale student committee a suitable order of exercises which the school children of Wrexham will carry out at the decoration of the grave of Elihu Yale in Wrexham North Wales, at the time of the Bicentennial. There will be singing of hymns, and the grave will be covered with wreaths of laurel and bunches of violeta.

Among the most interesting of the engrossed forms of greeting and congratulation now being received by the Yale authorities on the occasion of the Bicentennial is one from the Japanese graduates of the University's various departments. Of the whole number the twenty-four residents in Tokio have forwarded a handsome scroll in kakemoors, expressing their best wishes. The scroll will be exhibited with the other greetings. Of the many spectacular features of the students' torchlight parade on the first night of the Bicentennial probably no one will so delight the friends of Yale as the float now being prepared by in the house of George M. Lamont, at the Japanese students at the University. These foreign students are guarding the plans for the float with great secrecy. It is said by the Yale leaders that the float will be a surprise in its picturesqueness There are twenty-four Japanese at Yale this year. Two are studying law, three are in the Divinity school, and the remainder are pursuing courses in economics or in philosophy Two Buddhist priests are a Philosophy Yale this

philosophy Iwo Buddinis press are at Yale this year, sent here by their home religious order to study ethics and the philosophy of religion.

The invitation extended to President Hadley of Yale by Mayor Studley and other city officials to review the students' torchight parade from the city's review-torchight parade from the city's reviewsaid that she was about to close her bedroom window in the night when her hands slipped from the window sill and she fell out. She is in a critical condition. Mr. Lamont, who is the junior member of the firm of George Lamont & Son of the National Safety Paper Company, 87 Maiden Lane, New York city, is on a pleasure trip with his wife in Virginia. Isabelle was left in charge of her governess and the servants. Mr. and Mrs. Lamont are hastening home on a special train.

Hadley of the city officials to review the students of the rity of the city's review the students of the city's review the city is grand in grands in grands is regarded by the Yale officials to review the city is grands. the class "bully," who also acted as pre-siding officer at class meetings. The senio bully was the college bully and the guardian of the "Bully Club," a very substantial

Mrs. Mary Trimpler, who told the police she had had no home since her husband deserted her last summer, was held to await the action of the Grand Jury yesterday in the Ewen street police court, Williamsburg, on the charge of burglary. She confessed entering the flat of Charles Schwab at 951 Grand street, Williamsburg, on Monday and stealing property valued at \$75.

At the time Mrs. Trimpler and her husband separated she broke up housekeeping and received permission from Schwab's wife to store some of her belongings in the Schwab flat. While Schwab and his family were out on Monday she stole a suit of clothes, a gold watch and chan and a Schützenbund badge belonging to Schwab. When arrested the woman said she stole because she was in destitute circumstances.

In 1838 opposition to the name Bully In 1838 opposition to the name Bully became so strong that a reform party elected Presidents to serve as moderators, not without much conflict with the bully sympathizers. A free fight on Presentation Day in 1840 as to whether President or Bully should marshal the procession resulted in the sneedy abolition by the

Eleventh avenue vesterday afternoon.
Young Ihmer had with him eleven pairs of shoes, valued at \$98. The crowd disappeared and with them went the shoes.
Several citizens gave chase and all the thieves but two dropped the shoes they were carrying. One boy got away with two pairs valued at \$15. Policeman kyan caught Patrick Costello, 15 years old, of the sudies in which the university teachers are engaged. Already twelve volumes have appeared, and most of the remaining thirteen will be ready by Sunday next. In subject matter they cover nearly

were carrying. One boy got away with two pairs valued at \$15. Policeman kwan caught Patrick Costello, 15 years old, of \$15. West Twenty sixth street, with two pairs more. Magistrate Cornell held the boy for examination.

TWENTY YEARS WINS A PENSION.

For Policemen Appointed Under the Old Regime—New Cops Serve Five More. Police Sergeant John O'Connell of Brooklyn was retired on a pension of \$1,000 by Commissioner Murphy yesterday. O'Connell has been a policeman for about twenty-one years. Six months ago he asked to be retired on a pension. The present law requires twenty-five years of service for a pension. When O'Connell was appointed it was only twenty years' service. O'Connell two his case to the courts. Justice Hooker of Brooklyn decided that since he got his job under the old law, that was a contract which had to be lived up to.

TREASURE IN AN OLD SHOE.

\$225. Mather's Savings. and Her Son's Up for Stealing Them.

Edward Gorman, 17 years eld, was held yesterday in the West Side police court on the charge of stealing \$225 from his step-mother, Olive Gorman of 205 West Forty-seventh street. She had the money concealed in an old shoe and the shee was hidden in a pile of linen in a citothes hamper. The boy, she said, got a key to her room.

Eleven of the volumes comprising the

The boy, she said, got a key to her room from his father, Edward Gorman, a prize-fighter with whom she has trouble, and was seen in her room just before the money was missed.

Summer Lake Hotel Burned.

Plattsburgh, N. Y., Oct. 16.—The Edgewood Inn. a summer hotel, owned by the Ampersand Hotel Company, and located on lower Saranac Lake, was burned this morning. Loss about 10,000, partly insured.

Eleven of the volumes comprising the series deal with mathematics and the natural sciences and several of these are the work. To do one of the scientific laboratories. The two volumes of "Research Papers From the Kent Chemical Laboratories of the Sheffield Scientific School are represented by volumes under the editorship of Profs. Chittenden, Wells, Penfield and Pirsson In the group of scientific writings there are "A short Treatise on Vector Analysis."



The woods are full of plain, serviceable \$3.50 shoes; but they're plain, always plain, just as though the man who didn't want or couldn't afford to pay more than \$3.50 didn't care.

Our new \$3.50 shoe has all the style of a shoe at twice the

Box calf, enamel and patent leather.

The mark of the thoroughbred is on this Fall's overplaid overcoat, an indefinite distinction that place.

In gray and brown, made long with broad lapels; \$20 to \$32.

ROGERS, PEET & COMPANY.

258 Broadway, cor Warren, and 7 and 9 Warren St. 569 Broadway, cor. Prince. 1260 Broadway, cor. 32d, and 54 West SEd St.

by E. B. Wilson and "Light," by Prof. Charles S. Hastings.

Prof. Summer has contributed a text book on "Sociology," Prof. J. C. Schwab, Secretary of the Bicentennial Committee has written on "The Financial and Industrial Conditions of the Confederate States. of America," and various members of the faculty of law have prepared a joint work entitled "Two Centuries' Growth of Ameri-can Laws."

The bicentennial series is dedicated to the graduates of the University.

Columbia to Help Yale Celebrate. Columbia University has accepted an invitation from Yale to be represented at the bicentennial exercises at New Haven next week. The university will send as delegates Acting President Nicholas Mur-ray Butler, Dean Van Amringe, Prof. George W. Kirchwey, dean of the school of law; Dr. James W. McLane, dean of the College of Physicians and Su geons: Prof. James Earl Russell, dean of Teachers' Colege, and Miss Laura D. Gill, dean of Barnard.

HARRISON PUT UP \$20,000. Chicago's Mayor Comes to the Resent of His Friend Robert E. Burke.

CHICAGO, Oct. 15.-Mayor Harrison is hoping that the oil inspection ordinance will be declared invalid. Not only would such a decision release his personal friend and political menter, Robert E. Burke, from the grasp of the criminal law, but it would return to Harrison about \$20,000 in money. It has now developed that the Mayor advanced about two-thirds of the \$30,000 paid to the City Comptroller in an effort to prevent the recent indictment of

On Friday afternoon, the day before the indictments were returned, Mr. Burke is said to have received word from the oil day. He was told, so the story goes, that the books for the present year would be produced. From sources of information at his command the difference between at his command the difference between the amounts paid to him and his returns to the Comptroller were estimated to be between \$7,000 and \$3,000. In order to head off the inquiry Mr. Burke drew his check for \$10,000 Saturday and sent it to the

Comptroller
Early on Saturday forencon Mr. Burke is said to have been informed that the Grand Jury had demanded the books for Grand Jury had demanded the books for 1900. The oil inspector had exhausted his bank balances, or nearly so, when he drew his check for \$10,000, and this new information threw him into a panic Mayor Harrison was not in Chicago, having gone to a suburb to spend the day with relatives. He was accessible by telephone, however, and Mr. Burke called him up and explained the new phase of the case. The Mayor agreed to produce \$20,000. Burke handed the light own check with the understanding in his own check with the understanding that it should not be presented by the Comptroller until after banking hours. This was done and the Mayor on Monday morning supplied Burke's bank account with the necessary \$20,000.

SHAFT KILLED HIM AT LAST. Bey Was in the Habit of Being Whirled About for Fun.

SOMERVILLE, N. J. Oct. 16 - Irving McMurtry, the fifteen-year-old son o Robert McMurtry of Raritan, was killed in Adair's flour mill on the Raritan River last night. Young McMurtry who had been left in charge of the mill office was in the habit of embracing the great perpendicular shaft which connects the machinery with

shaft which connects the machinery with the turbine wheel in the cellar and allowing himself to be whirled rapidly around his feet swinging clear of the floor.

In attempting the feat last night the boy's flying coat tails took a lap around the shafting and as he released his hold his body was drawn tightly against the shaft. The miller stopped the turbine wheel and a farmer who entered the mill made a frantic effort to extricate the boy but he was bound so tightly to the shaft by his clothing that life was almost extinct before the machinery was stopped. After he was removed from the shaft he recovered consciousness and complained of a severe pain about his heart. It was discovered that he had sustained a compound fracture of the arm and internal injuries. He died in a few hours.

Miller of the Franklin Syndicate to Be Brought to Brooklyn To-day.

Judge Aspinall in the County Court in Judge Aspinall in the County Court in Brooklym signed yesterday an order on the Warden of Sing Sing prison, authorizing him to deliver to Sheriff Walton, William F. Miller of the Franklin Syndicate, whose canviction has been set aside by the Appellints Division of the Supreme Court in Brooklyn and a new trial ordered. Miller will be brought from Sing Sing to-day and will be lodged in Raymond Street Jail. His counsel will then attempt to have him admitted to bail.

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